

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	Criminal No. 04-15 (Erie)
v.)	26 U.S.C. §7201 -Tax Evasion
)	
JOHN P. LEONARDOS)	Electronically Filed
)	

MOTION TO DELAY REPORTMENT TO FCI MORGANTOWN, WEST VIRGINIA

AND NOW, to-wit, this 4th day of January, 2006, comes the above named defendant, John P. Leonardos, by and through his attorneys, AMBROSE, FRIEDMAN and WEICHLER, and respectfully requests that this Court enter an Order delaying his reportment to the FCI at Morgantown, West Virginia, and in support sets forth as follows:

1. The defendant is 65 years of age. He is scheduled to report to the FCI in Morgantown, West Virginia on Saturday, January 7, 2006 to serve his sentence of one year and one day previously imposed by this Court on June 21, 2005.
2. The defendant's wife suffered a fall on December 20, 2005 which resulted in her breaking her right hip. Defendant's wife has had surgery to re-set her hip and repair the fracture.
3. Because of his financial condition, defendant is unable to hire a home health aide to assist his wife with her day-to-day activities. He remains her only care giver at this time. Defendant's wife's surgeon, Jeffrey A. Nechleba, M.D., has indicated that Mrs. Leonardos will require assistance for at least the next four to six weeks. See Exhibit "A"
4. On January 4, 2006, Assistant United States Attorney Marshall Piccinini indicated he objects to the defendant's Motion to Delay Reportment to FCI at Morgantown, West Virginia.

WHEREFORE, the defendant respectfully requests that his reportment date to the FCI at Morgantown, West Virginia, be enlarged forty-five (45) days from January 7, 2006 to February 21, 2006.

Respectfully submitted,

AMBROSE, FRIEDMAN and WEICHLER

s/ Leonard G. Ambrose III

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